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March 21, 2016 3:19 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: mkc SCANNED BY: [Signature]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

MICHAEL AHO KENNEDY,

Defendant.

CASE NO. 1:15-CR-00183 (JTN)

PETITION FOR WRIT OF HABEAS
CORPUS AD PROSEQUENDUM

TO: HONORABLE PHILLIP J. GREEN
UNITED STATES MAGISTRATE JUDGE
WESTERN DISTRICT OF MICHIGAN

Now comes Ronald M. Stella, Assistant United States Attorney for the Western District of Michigan and attorney for the petitioner, and brings this Petition for Writ of Habeas Corpus Ad Prosequendum, and in support thereof respectfully states unto this Honorable Court as follows:

1. That on or about October 8, 2015, an Indictment was returned against defendant charging him with several counts of mail fraud in violation of 18 U.S.C. § 1341 and making and subscribing to a false Amended U.S. Individual Income Tax Return in violation of 26 U.S.C. § 7206(1).

2. After issuance of the Indictment, a writ of habeas corpus ad prosequendum issued from this Court ordering the release of defendant from state custody at Emmet County Jail for purpose of his appearance on the federal charges. Defendant appeared in this Court and entered a guilty plea to counts 6 and 8 of the Indictment on November 30, 2015.

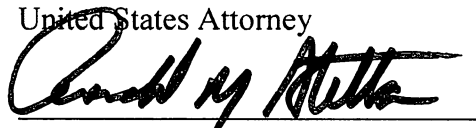
3. After entry of his guilty plea in federal court, defendant was released to the custody of state authorities for his guilty plea and sentencing on related charges in Emmet County Circuit Court. Defendant's sentencing hearing in state court occurred on February 16, 2016. Defendant was sentenced to a minimum sentence of six years' imprisonment and is currently lodged with Macomb Correctional Facility.

4. That the defendant is presently incarcerated at Macomb Correctional Facility, and that he cannot be produced and appear before this Court for his sentencing hearing on April 11, 2016, without an order of this Court. Additionally, the undersigned has communicated with defense counsel who would like the transfer of his client from state to federal authorities to occur now if possible to assist his preparation for sentencing.

WHEREFORE, your petitioner prays that a Writ of Habeas Corpus Ad Prosequendum may issue out of the Court directed to the Warden, Macomb Correctional Facility, and to each and all of his assistants, to surrender the said defendant to the United States Marshal for the Western District of Michigan, or his deputies, or any federal agent for transportation to Grand Rapids, Michigan, and further directing the United States Marshal for the Western District of Michigan, and his deputies, to have the said defendant before this Court at Grand Rapids, Michigan, on April 11, 2016 at 11:00 a.m. and at such other times and dates as the Court may decree. Upon conclusion of the sentencing hearing, the defendant will be returned to Macomb Correctional Facility.

PATRICK A. MILES, JR.

United States Attorney

A handwritten signature in black ink, appearing to read "Ronald M. Stella", is written over a horizontal line.

RONALD M. STELLA

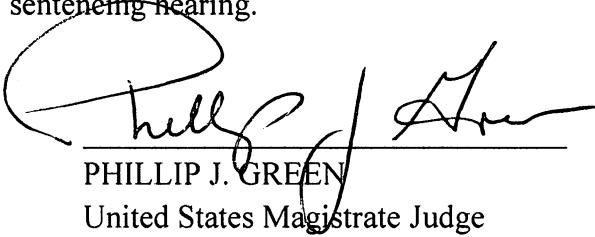
Assistant United States Attorney

ORDER

Let a Writ of Habeas Corpus Ad Prosequendum issue as prayed for in the foregoing petition, returnable April 11, 2016, at 11:00 a.m. and at such other times and dates as the Court may decree. Upon conclusion of the sentencing hearing, the defendant will be returned to Macomb Correctional Facility for a sentencing hearing before the Honorable Janet T. Neff, United States District Judge, in Grand Rapids, Michigan, and return to Macomb Correctional Facility upon conclusion of the federal sentencing hearing.

Dated: _____

3/19/16



PHILLIP J. GREEN
United States Magistrate Judge